

Notice of Allowability	Application No.	Applicant(s)	
	10/602,767	GALLIK ET AL.	
	Examiner	Art Unit	
	Ismael Izaguirre	3765	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 6/23/03.
2. ☒ The allowed claim(s) is/are 1-12.
3. ☒ The drawings filed on 6/23/04 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|---|--|
| 1. <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date _____. |
| 3. <input checked="" type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date <u>6/23/03</u> | 7. <input type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other _____. |

Ismael Izaguirre
Primary Examiner
Art Unit: 3765

COMMENTS

Reasons For Allowance

The following is an examiner's statement of reasons for allowance: claim 1 defines a head apparel (or cap) embroidery hoop alignment device for use in conjunction with an embroidery machine. The alignment device includes a substantially flat, planar frame with an opening for accommodating a cap therein and an outer periphery adapted for securement within a containment hoop (embroidery hoop) of the embroidery machine, and a centered rear alignment groove defined in the upper surface at the rear of the frame. A removably clamped plate for retaining the cap is provided for securing the cap within the frame. Claim 12 defines the head apparel alignment device including first and second ledges comprised by the retaining plate for cooperatively engaging a bill of a cap. The first ledge is located to biasing the bill against the upper surface of the frame. The dependent claims further define the head apparel embroidery hoop alignment device of the independent claims.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Pertinent Citations

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Williams, Allen and Wakaizumi illustrate alignment devices for placement within embroidery hoops for locating patterns on the material to be

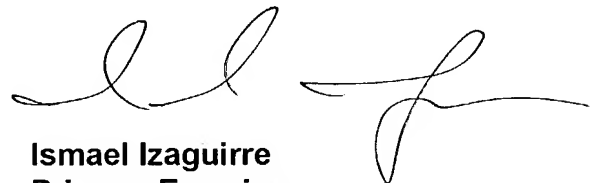
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embroidered. Stockton illustrates an embroidery hoop including a plate on the underside with adhesive portions. Hori, Vickroy et al., and Melton illustrate embroidery hoop systems with locating indicia including grooves for notches or markings.

INQUIRIES

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mr. Ismael Izaguirre located in CP2-4B18 whose telephone number is (703) 308-0892. The examiner can normally be reached on Monday to Friday from 9:30 to 6:00.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 308-0861.

A handwritten signature in black ink, appearing to read 'Ismael Izaguirre', with a stylized flourish extending to the right.

**Ismael Izaguirre
Primary Examiner
Group Art Unit 3765**

II
3/16/04